

Message Text

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C O N F I D E N T I A L STATE 085198

DISTO

E.O. 11652: GDS

TAGS: PARM, PFOR, UR

SUBJECT: CCD -- GUIDANCE ON CHEMICAL WEAPONS (CW)

REFS: (A) STATE 100008 (APRIL 1975); (B) STATE 135881
(JUNE 1975)

1. SUMMARY: THIS MESSAGE REVIEWS CURRENT SITUATION
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REGARDING 1974 US-SOVIET SUMMIT COMMITMENTS ON CW AND CON-
SIDERATION OF CW ISSUES AT CCD. IT INSTRUCTS US DEL (1)
TO OUTLINE US ATTITUDES ON SCOPE AND DEFINITIONAL QUESTIONS
TO SOVIET DEL, EMPHASIZING IMPORTANCE OF REACHING COMMON

UNDERSTANDING ON VERIFICATION MEASURES IF CW AGREEMENT IS TO BE ACHIEVED, AND (2) TO MAKE CCD STATEMENT PRESENTING CURRENT US THINKING ON CW ISSUES. STATEMENT WILL BE BASED AS APPROPRIATE ON POINTS OUTLINED EARLIER TO SOVIETS AND ON ADDITIONAL GUIDANCE CONTAINED IN PRESENT MESSAGE, EMPHASIZING NEED FOR FURTHER EXAMINATION OF VERIFICATION PROBLEMS. DEL SHOULD NOT CONVEY IMPRESSION, EITHER IN APPROACH TO SOVIETS OR IN SPEECH, THAT USG HAS TAKEN POLICY DECISIONS ON CW OR THAT IT SUPPORTS ANY PARTICULAR APPROACH TO CW RESTRAINTS. END SUMMARY.

2. IN MOSCOW SUMMIT COMMUNIQUE OF JULY 1974 AND AGAIN IN NOVEMBER 1974 VLADIVOSTOK COMMUNIQUE, US AND USSR AGREED TO CONSIDER JOINT CCD INITIATIVE ON MOST DANGEROUS, LETHAL CW. IN AUGUST 1974, SOVIETS PRIVATELY PRESENTED US WITH DRAFT CW TREATY WHICH, AS DESCRIBED IN REF A, FAILED TO DEAL ADEQUATELY WITH VERIFICATION AND TOOK AN UNBALANCED APPROACH TO SCOPE OF PROHIBITIONS (ADOPTING TOXICITY STANDARD THAT WOULD BAN PRODUCTION AND STOCKPILING OF CW AGENTS, PRIMARILY SUPERTOXICS, THAT CONSTITUTE MAJOR SHARE OF US STOCKS, WHILE EXCLUDING LESS TOXIC LETHAL AGENTS, SUCH AS HYDROGEN CYANIDE, THAT OTHERS ARE BELIEVED TO HAVE IN THEIR STOCKPILES). IN APRIL 1975, WE ASKED THE SOVIETS SOME QUESTIONS REGARDING THEIR DRAFT, POINTING OUT OUR DIFFICULTIES WITH THEIR TREATMENT OF SCOPE AND VERIFICATION (REF A). IN THEIR RESPONSE IN JUNE 1975 (REF B), THE SOVIETS URGED US TO PUT FORWARD CONCRETE IDEAS OF OUR OWN AND PROPOSED FOLLOW-UP BILATERAL TECHNICAL MEETINGS, WHICH WE TURNED DOWN. SINCE THEN, SOVIET OFFICIALS HAVE PERIODICALLY INQUIRED ABOUT OUR READINESS TO PURSUE JOINT INITIATIVE.

3. FROM DEL'S REPORTING, WE ARE AWARE THAT SEVERAL CCD MEMBERS, INCLUDING CANADA, JAPAN, AND SWEDEN, HAVE STATED THAT THEY ARE NO LONGER PREPARED TO PERMIT PROMISE OF JOINT INITIATIVE TO DELAY PROGRESS TOWARD CW AGREEMENT. WE SEE CONSIDERABLE RISK THAT EFFORTS WILL BE MADE, CONFIDENTIAL

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PARTICULARLY BY NON-ALIGNED, TO MOVE ISSUE FORWARD WITHOUT US, PERHAPS BY INTRODUCING DRAFT TREATY. WE WOULD EXPECT ANY NON-ALIGNED TREATY PROPOSAL TO CONTAIN PROVISIONS (E.G., ON VERIFICATION AND SCOPE) UNACCEPTABLE TO US AND TO PREJUDICE RECEPTION OF POSSIBLE JOINT INITIATIVE.

4. ASIDE FROM POSSIBILITY OF SUCH ACTION BY NON-ALIGNED, WE ARE CONCERNED BY ATTEMPTS OF SOVIET ALLIES, IN INCREASINGLY POINTED CCD STATEMENTS, TO PLACE BLAME ENTIRELY ON US FOR FAILURE TO PRODUCE JOINT INITIATIVE. OUR CONTINUED SILENCE IN COMMITTEE ON CW ISSUES COULD REINFORCE CREDIBILITY OF CHARGES BY EASTERN EUROPEANS AND PLACE US IN DIFFICULT AND ISOLATED POSITION.

5. USG HAS NOT YET TAKEN DECISION REGARDING POSSIBLE AGREED LIMITATIONS ON CW PRODUCTION AND STOCKPILES. NONE-THELESS, IN LIGHT OF PROBLEMS DISCUSSED ABOVE, WE CONSIDER IT APPROPRIATE AT THIS TIME TO TAKE ACTION ON CW, BOTH WITH RESPECT TO SOVIETS AND TO CCD. OBJECTIVES OF APPROACH WILL BE (A) TO HEAD OFF SUPPORT FOR, AND PERHAPS INTRODUCTION OF TREATY DRAFT EMBODYING, APPROACH TO CW RESTRAINTS THAT WE WOULD FIND UNACCEPTABLE; (B) TO EMPHASIZE, BOTH TO SOVIETS AND TO OTHER CCD MEMBERS, IMPORTANCE WE ATTACH TO VERIFICATION; AND (C) TO KEEP OPEN BILATERAL CHANNEL FOR FUTURE WORK ON CW QUESTION.

6. DEL SHOULD APPROACH SOVIET DEL AT EARLIEST OPPORTUNITY TO MAKE POINTS OUTLINED BELOW ON SCOPE, DEFINITION, AND VERIFICATION OF PHASED CW AGREEMENT. IN ADDITION, AFTER PRESENTATION TO SOVIETS, DEL SHOULD MAKE STATEMENT IN CCD PLENARY BASED, AS APPROPRIATE, ON POINTS CONVEYED TO SOVIETS, EMPHASIZING THAT, BEFORE CW AGREEMENT CAN BE REACHED, COMMITTEE MUST ACHIEVE FULLER UNDERSTANDING OF CW VERIFICATION ISSUES, ESPECIALLY THOSE TECHNIQUES LIKELY TO CONTRIBUTE MOST SIGNIFICANTLY TO AN ADEQUATE VERIFICATION SYSTEM. DEL SHOULD NOT CONVEY IMPRESSION, EITHER IN APPROACH TO SOVIETS OR IN SPEECH, THAT USG HAS TAKEN POLICY DECISIONS ON CW OR THAT IT SUPPORTS ANY PARTICULAR APPROACH TO CW RESTRAINTS.

7. IN APPROACH TO SOVIETS, DEL SHOULD MAKE FOLLOWING CONFIDENTIAL

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POINTS:

(A) WE HAVE GIVEN CAREFUL CONSIDERATION TO THE SOVIET VIEWS ON CW QUESTIONS THAT WERE PRESENTED TO US LAST JUNE 9 IN WASHINGTON. WE WOULD LIKE NOW TO COMMENT ON SOME OF THE ISSUES RAISED BY THE SOVIET GOVERNMENT AT THAT TIME AS WELL AS TO PROVIDE OUR VIEWS ON SOME OTHER CW QUESTIONS THAT ARE RELEVANT TO AN EXAMINATION OF THE POSSIBILITY OF A US-SOVIET INITIATIVE AT THE CCD.

(B) WE CONTINUE TO BELIEVE STRONGLY THAT ANY AGREEMENT ON CW MUST PROVIDE ADEQUATE ASSURANCE TO STATES THAT THEY ARE NOT INCREASING THE RISK TO THEIR NATIONAL SECURITY BY ADHERING TO THE AGREEMENT. AN ADEQUATE VERIFICATION SYSTEM IS AN ESSENTIAL COMPONENT OF SUCH ASSURANCE. IN OUR JUDGMENT, THE INABILITY SO FAR TO FIND EFFECTIVE SOLUTIONS IN THE AREA OF VERIFICATION IS THE PRINCIPAL OBSTACLE TO A CW AGREEMENT. ACCORDINGLY, WE CONSIDER IT IMPORTANT, IN CONSIDERING A JOINT CW INITIATIVE, THAT THE TWO SIDES GIVE PARTICULAR ATTENTION TO VERIFICATION ISSUES, ESPECIALLY TO THOSE TECHNIQUES THAT MIGHT CONTRIBUTE MOST SIGNIFICANTLY TO AN ADEQUATE VERIFICATION

SYSTEM.

(C) WE HAVE STATED ON SEVERAL OCCASIONS THAT THE SCOPE OF CW PROHIBITIONS MUST BE BASED ON VERIFICATION CAPABILITIES. SINCE NO SOLUTION TO THE PROBLEM OF DETECTING CLANDESTINE CW STOCKS HAS YET BEEN DEvised, WE DO NOT BELIEVE OUR COMMON OBJECTIVE OF THE COMPLETE PROHIBITION OF CW CAN BE ACHIEVED IN A SINGLE, COMPREHENSIVE AGREEMENT. WE SUPPORT INSTEAD A PHASED APPROACH.

(D) SEVERAL STATES HAVE MADE SUGGESTIONS FOR LIMITING THE COVERAGE OF A FIRST-STAGE AGREEMENT TO HIGHLY TOXIC AGENTS, EXCLUDING FROM COVERAGE LESS TOXIC LETHAL AGENTS. THE SOVIET DRAFT TREATY OF AUGUST 1974 FOLLOWS THIS APPROACH. AS WE INDICATED TO THE SOVIET GOVERNMENT IN APRIL 1975, WE CONSIDER THIS APPROACH TO BE AN UNBALANCED ONE. WE BELIEVE INSTEAD THAT A FIRST-STAGE AGREEMENT SHOULD COVER ALL LETHAL CW AGENTS.

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(E) AN AGREEMENT ON LETHAL CW BANNING ACTIVITIES ON A PHASED BASIS COULD BE STRUCTURED IN VARIOUS WAYS. SOME EXAMPLES ARE:

(1) AN AGREEMENT REQUIRING THE REDUCTION OF LETHAL CW STOCKS TO AGREED LEVELS, BUT PLACING NO RESTRICTION ON CW PRODUCTION;

(2) AN AGREEMENT BANNING ALL LETHAL CW PRODUCTION, BUT NOT AFFECTING STOCKS; AND

(3) AN AGREEMENT TO BAN PRODUCTION OF LETHAL CW AGENTS AND TO DESTROY SOME SPECIFIED QUANTITY OF LETHAL CW STOCKS OVER A CERTAIN PERIOD. WE BELIEVE IT WOULD BE USEFUL TO EXAMINE THE ADVANTAGES AND DISADVANTAGES OF THESE AND OTHER POSSIBLE APPROACHES TO PHASED CW LIMITATIONS.

(F) VARIOUS APPROACHES TO THE DURATION OF AN INITIAL AGREEMENT MIGHT BE CONSIDERED. FOR EXAMPLE, IT WOULD BE POSSIBLE, AS IN THE JAPANESE DRAFT TREATY, TO ADOPT A COMPREHENSIVE FRAMEWORK THAT WOULD LIMIT THE INITIAL SCOPE OF THE PROHIBITION AND PROVIDE FOR BROADENING OF THE SCOPE ONLY AS FURTHER AGREEMENTS WERE REACHED. ALTERNATIVELY, AN AGREEMENT MIGHT BE OF LIMITED DURATION, WITH PROVISION FOR REVIEW AND EXTENSION. WE WOULD BE INTERESTED IN SOVIET VIEWS ON THESE AND OTHER ALTERNATIVE APPROACHES TO THE QUESTION OF TREATY DURATION.

(G) WE BELIEVE IT WOULD BE USEFUL TO ARRIVE AT A COMMON UNDERSTANDING REGARDING CRITERIA FOR DEFINING THE CW

AGENTS TO BE COVERED IN ANY AGREEMENT BANNING THE PRODUCTION OF ALL LETHAL CW. IT IS OUR TENTATIVE VIEW THAT IT WOULD BE ADEQUATE TO RELY ON A GENERAL PURPOSE CRITERION AND TWO TOXICITY STANDARDS -- THE LOWER ONE TO DISTINGUISH LETHAL CHEMICAL SUBSTANCES FROM OTHER SUBSTANCES AND THE HIGHER ONE TO DISTINGUISH SUPERTOXIC SUBSTANCES FROM LESS TOXIC BUT NONETHELESS LETHAL SUBSTANCES. THE GENERAL PURPOSE CRITERION WOULD APPLY TO ALL LETHAL CHEMICAL SUBSTANCES -- THAT IS, ALL SUBSTANCES FALLING ABOVE THE LOWER TOXICITY STANDARD. ACCORDING TO CONFIDENTIAL

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THAT CRITERION, THE PRODUCTION OF ALL SINGLE PURPOSE LETHAL SUBSTANCES WOULD BE PROHIBITED, WHILE THE

PRODUCTION OF ALL DUAL-PURPOSE SUBSTANCES WOULD BE PERMITTED ONLY FOR PEACEFUL PURPOSES. IN ADDITION, THE PRODUCTION OF ALL PRECURSORS OF LETHAL CW AGENTS, INCLUDING PRECURSORS USED IN MULTICOMPONENT WEAPONS, WOULD BE PROHIBITED. THE UPPER TOXICITY STANDARD WOULD ASSIST IN THE APPLICATION OF THE GENERAL PURPOSE CRITERION. ALL SUBSTANCES FALLING ABOVE THE UPPER THRESHOLD WOULD BE PRESUMED, BECAUSE OF THEIR EXTREMELY HIGH TOXICITY, TO BE SINGLE PURPOSE CW AGENTS. THE PRODUCTION OF SUCH SUBSTANCES WOULD THEREFORE BE BANNED, EXCEPT THOSE THAT WERE DEMONSTRATED TO BE NECESSARY FOR PEACEFUL PURPOSES, IN WHICH CASES SPECIAL CONTROL PROCEDURES WOULD APPLY. IN PRACTICE, WE WOULD EXPECT VERY FEW SUPERTOXIC SUBSTANCES TO BE REQUIRED FOR PEACEFUL PURPOSES.

(H) WE FIND PROMISING THE APPROACH OUTLINED BY CANADA FOR ESTABLISHING SPECIFIC TOXICITY STANDARDS. UNDER THAT APPROACH, FOR BOTH THE LOWER AND UPPER TOXICITY LEVELS SEPARATE STANDARDS OF LETHALITY WOULD BE ADOPTED FOR EACH OF THE THREE PRINCIPAL ROUTES OF ENTRY INTO THE HUMAN BODY. THESE STANDARDS MIGHT BE EXPRESSED IN TERMS OF LD 50 VALUES OR IN TERMS OF REFERENCE CHEMICAL SUBSTANCES. AS DISCUSSED IN CCD/435, WE BELIEVE AN LD 50 (SUBSCRIPT) VALUE OF 0.5 MG/KG, OR A VALUE CLOSE TO IT, MIGHT BE THE OPTIMAL VALUE FOR THE UPPER THRESHOLD. FOR THE LOWER THRESHOLD, CANADA HAS SUGGESTED A VALUE OF LCT 50 (SUBSCRIPT) EQUAL TO 20,000 MG-MIN/M³ (SUPERScript). WE BELIEVE THIS IS A USEFUL STARTING POINT FOR DISCUSSIONS. FOR BOTH THE UPPER AND LOWER THRESHOLDS, EQUIVALENT LD 50 VALUES OR REFERENCE SUBSTANCES WOULD HAVE TO BE FOUND FOR EACH MODE OF ADMINISTRATION. IT WOULD BE ESSENTIAL, MOREOVER, TO DEVISE AGREED COMMON EXPERIMENTAL PROCEDURES FOR MEASURING TOXICITY IN ORDER TO ENSURE UNIFORM INTERNATIONAL APPLICATION.

(I) TO ADVANCE THE PROSPECTS FOR AGREEMENT WE BELIEVE THE CCD SHOULD NOW FOCUS ON VERIFICATION TECHNIQUES THAT

MIGHT BE SUITABLE FOR MONITORING A PRODUCTION BAN AND
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THE REDUCTION OF STOCKPILES. ONE TECHNIQUE FOR MONITORING
A BAN ON PRODUCTION IS THE EXCHANGE OF INFORMATION AMONG
TREATY PARTIES, PERHAPS THROUGH AN INTERNATIONAL TREATY
AUTHORITY. WHILE WE REGARD AS LIMITED THE EFFECTIVENESS
OF THIS TECHNIQUE, WE NONETHELESS BELIEVE IT COULD SERVE
AS A USEFUL CONFIDENCE-BUILDING DEVICE. WE BELIEVE IT
WOULD BE USEFUL TO SEEK TO ACHIEVE A COMMON UNDERSTANDING
REGARDING INFORMATION THAT TREATY PARTIES SHOULD EXCHANGE.
ADDITIONAL VERIFICATION MEASURES OUGHT TO BE

EXPLORED TO INCREASE CONFIDENCE THAT PRODUCTION ACTIVITY
IS NOT RESUMED AT DEACTIVATED FACILITIES.

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(J) ALTHOUGH THE USG HAS STUDIED MANY TECHNIQUES FOR
PROVIDING A REASONABLE LEVEL OF ASSURANCE THAT CLANDESTINE
CW PRODUCTION IS NOT TAKING PLACE, NONE HAS BEEN FOUND TO
BE MORE RELIABLE FOR RESOLVING SERIOUS QUESTIONS REGARDING
COMPLIANCE, AND FOR RESTORING CONFIDENCE IN COMPLIANCE,
THAN VISITS TO THE FACILITIES IN QUESTION. WE BELIEVE IT
IS IMPORTANT, THEREFORE, TO CONSIDER THE MODALITIES
OF AN ON-SITE INSPECTION SYSTEM.

(K) A VERIFICATION SYSTEM SUITABLE FOR STOCKPILE REDUCTION
WOULD HAVE TO PROVIDE CONFIDENCE THAT THE SPECIFIED LEVEL
OF LETHAL CW AGENT WAS ACTUALLY BEING DESTROYED. WE KNOW
OF NO WAY TO VERIFY THE DESTRUCTION OF DECLARED STOCK-
PILES EXCEPT BY ON-SITE OBSERVATION OF THE DESTRUCTION
PROCESS, AND WE BELIEVE THAT A PROCEDURE COULD BE DEvised
THAT WOULD NOT REVEAL INDUSTRIAL OR MILITARY SECRETS.

(L) AN EFFECTIVE VERIFICATION SYSTEM FOR STOCKPILE
DESTRUCTION MUST BE CAPABLE OF CONFIRMING THAT THE TYPE
AND QUANTITY OF THE AGENT BEING DESTROYED HAVE
BEEN CORRECTLY REPRESENTED. WE WOULD HOPE TO PROVIDE
SOVIET DELEGATION IN THE NEAR FUTURE WITH A PAPER STATING
PRELIMINARY VIEWS ON PROCEDURES, INVOLVING MONITORING
INSTRUMENTS AND INSPECTION PERSONNEL, THAT WE BELIEVE
WOULD BE BOTH FEASIBLE AND HELPFUL IN ACHIEVING THESE
OBJECTIVES. WE HOPE THE SOVIET GOVERNMENT WILL GIVE THIS
QUESTION DETAILED TECHNICAL EXAMINATION, DRAWING ON ITS
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PAST EXPERIENCE IN DESTROYING HIGHLY TOXIC MATERIALS.

(M) WE BELIEVE THAT AN INTERNATIONAL CONSULTATIVE BODY OF
TREATY PARTIES COULD PLAY AN IMPORTANT ROLE, NOT JUST TO

FACILITATE CW VERIFICATION SYSTEM, BUT MORE GENERALLY AS
A MEANS OF ENSURING THE EFFICIENT OPERATION OF A CW
TREATY REGIME.

(N) WE PLAN TO ELABORATE ON MANY OF THE ABOVE POINTS IN
A PLENARY STATEMENT THAT WE WILL DELIVER SHORTLY. WE
WOULD BE INTERESTED IN HEARING YOUR REACTION TO THE ISSUES
RAISED HERE AS WELL AS IN THE CCD SPEECH.

8. IF SOVIETS REITERATE THEIR REQUEST FOR BILATERAL
TECHNICAL MEETINGS WITH EXPERTS ON CW, DEL MAY RESPOND

THAT WE PLAN TO SEND CW EXPERTS TO PARTICIPATE IN INFORMAL
CCD MEETINGS TENTATIVELY SET FOR EARLY JULY AND THAT
THESE EXPERTS WOULD BE AVAILABLE AT THAT TIME TO DISCUSS
TECHNICAL ISSUES RAISED IN OUR PRESENTATION. KISSINGER

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